

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JACOB SMITH,

v.

ISIDRO BACA, et al.,

Petitioner,

Respondents.

Case No. 3:14-cv-00512-MMD-VPC

ORDER

This is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner represented by counsel.

The original *pro se* petition and attachments were received by the Court on October 3, 2014. (Dkt. no. 1.) On April 29, 2015, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action. (Dkt. no. 5.) On June 29, 2015, Jason F. Carr of the Federal Public Defender's Office appeared on behalf of petitioner. (Dkt. no. 8.) The Court now sets a schedule for further proceedings in this action.

It is therefore ordered that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

1        It is further ordered that the Clerk of Court shall add Nevada Attorney General  
2 Adam Paul Laxalt to the CM/ECF docket sheet and serve respondents with a copy of  
3 this order. Respondents' counsel shall enter a notice of appearance in this action within  
4 ten (10) days of entry of this order.

5        It is further ordered that petitioner shall have ninety (90) days from the date of  
6 entry of this order, to file and serve on respondents an amended petition for writ of  
7 habeas corpus, which shall include all known grounds for relief (both exhausted and  
8 unexhausted).

9        It is further ordered that respondents shall have forty-five (45) days after service  
10 of an amended petition within which to answer, or otherwise respond to, the amended  
11 petition. If petitioner does not file an amended petition, respondents shall have **forty-five**  
12 (45) days from the date on which the amended petition is due within which to answer, or  
13 otherwise respond to, petitioner's original petition.

14       It is further ordered that if and when respondents file an answer, petitioner shall  
15 have forty-five (45) days after service of the answer to file and serve a reply.

16       It is further ordered that all exhibits filed by the parties herein shall be filed with  
17 an index of exhibits identifying the exhibits by number. Exhibits filed in the CM/ECF  
18 system must correspond to the numbered exhibits identified in the index of exhibits.

19       It is further ordered that the parties shall send courtesy (paper) copies of all  
20 exhibits to the Reno Division of this Court. Courtesy copies shall be mailed to the Clerk  
21 of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff  
22 Attorney" on the outside of the mailing address label.

23       It is further ordered that all pleadings and court filings shall be served on the  
24 Federal Public Defender's Office (FPD), at the address indicated on the FPD's notice of  
25 appearance.

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1 It is further ordered that petitioner shall file no further *pro se* documents and shall  
2 proceed by and through appointed counsel.

3 DATED THIS 1<sup>st</sup> day of July 2015.



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5 MIRANDA M. DU  
6 UNITED STATES DISTRICT JUDGE  
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